

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendants.

CIVIL ACTION FILE
NUMBER

**DEFENDANTS JAMES RICKEY HENRY, JARROD WARE, AND WARE EMPIRE
TRANSPORTATION, LLC'S NOTICE OF REMOVAL**

1.

Plaintiff Tameka Cook filed a lawsuit styled Tameka Cook v. James Rickey Henry, Jarrod Ware, Ware Empire Transportation, LLC, in the Superior Court of Fulton County, Georgia, civil action file number 2023CV377889. Defendants attached a copy of the Summons and Complaint as Exhibit "A" and a copy of Defendants' Answer as Exhibit "B."

2.

Based on the Georgia Uniform Crash report, Plaintiff was a citizen and a resident of Georgia when she filed the Complaint for Damages. Defendants attached a copy of the Crash Report as Exhibit "C".

3.

Defendant James Rickey Henry was a citizen and resident of Texas when Plaintiff filed the Complaint. See affidavit of James R. Henry attached as Exhibit "D".

4.

Plaintiff named Defendant Jarrod Ware as a defendant in the Complaint for Damages, but she failed to make any allegations against him and Jarrod Ware was a citizen and resident of Texas when Plaintiff filed the Complaint. See Affidavit of Jarrod Ware attached as Exhibit "E".

5.

Plaintiff named Defendant Ware Empire Transportation, LLC as a defendant in the Complaint for Damages but she failed to make any allegations against it, Ware Empire was a Florida limited liability company and its sole member was a Texas citizen and resident, and it maintained its principal office in Texas when Plaintiff filed the Complaint. See Affidavit of Jarrod Ware attached as Exhibit "E".

6.

There is complete diversity of citizenship of the parties to this civil action.

7.

The amount in controversy exceeds \$75,000.00 exclusive of interest and costs because Plaintiff alleged in paragraph 3. Of the Complaint for Damages she suffered \$99,000.00 in pain and suffering, \$20,000.00 in past and future medical expenses, \$15,000.00 in lost earnings, \$25,000.000 in loss of capacity for the enjoyment of life, and \$20,000.00 in mental anguish and demanded \$179,000.00 in the ad damnum clause.

8.

This civil action is properly removable to this Court under to 28 U.S.C. § 1441(a), 28 U.S.C. § 1446(a) and (b). In accordance with 28 U.S.C. § 1332(a), there exists diversity of citizenship between the Plaintiff and the Defendants and the amount in controversy, exclusive of interest and cost, exceeds the sum of \$75,000.

9.

Plaintiff failed to properly or sufficiently serve Defendants with the Summons and Complaint, but all Defendants consent to the removal of this case.

10.

Defendants notify the Court, the Clerk and Plaintiff that they removed this civil action to this Court under 28 U.S.C. § 1446 and pursuant to Fed. R. Civ. P. 11.

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ *Grant B. Smith*

GRANT B. SMITH, ESQ.

Georgia bar number 658345

For the Firm

Attorneys for Defendants

900 Circle 75 Parkway, Suite 1400

Atlanta, Georgia 30339

(404) 364-4503

Gbs@dcplaw.com

KMoore@dcplaw.com

EXHIBIT “A”

IN THE SUPERIOR COURT OF Fulton COUNTY,
GEORGIA

SUMMONS

2023CV377889

Tameka M Cook

Case

No.:

Plaintiff,

vs.

James Rickey Henry, Jarrod Ware, Ware
Empire Transportation LLCDefendant

Jarrod Ware

TO THE ABOVE NAMED DEFENDANT(S).

You are hereby summoned and required to file electronically with the Clerk of said Court at <https://efilega.tylerhost.net/ofswab> and serve upon plaintiff's attorney, whose name and address is:

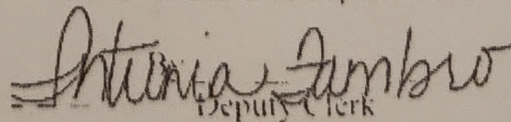
Tameka M Cook
5863 Summer Glen Lane
College Park GA 30349

An answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service; unless proof of service of this complaint is not filed within five (5) business days of such service. Then time to answer shall not commence until such proof of service has been filed. **IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

3/24/2023

This _____ day of _____, 20____

Honorable Clerk of Superior Court


Deputy Clerk

To defendant upon whom this petition is served:

This copy of complaint and summons was served upon you _____, 20____

Deputy Sheriff

IN THE SUPERIOR COURT OF Fulton COUNTY
STATE OF GEORGIATameka M Cook

Plaintiff

CIVIL ACTION
2023CV377889

NO. _____

v.

James Rickey Henry, Jarrod Ware, Ware Empire
Transportation LLC
DefendantCOMPLAINT FOR DAMAGES

Now comes Tameka M Cook, plaintiff in the above-styled action, and states his complaint as follows:

1. The defendant is James Rickey Henry who is a resident of 2114 Tegner Drive, City of Jacksonville, Duval County, Georgia, and is subject to the jurisdiction of this court.

SEE ATTACHMENT FOR ADDITIONAL DEFENDANT INFORMATION

2. *[Short and plain statement in separately numbered paragraphs of claim sued upon.]*

1. On May 31, 2022 Plaintiff and Defendant were involved in an automobile crash in Atlanta, Ga.
2. Plaintiff was driving on Interstate 75/85 North.
3. When suddenly Defendant driving a 18 wheeler switched lanes crashing into Plaintiffs drivers side.
4. Defendant was driving on Plaintiffs immediate left.
5. Defendant was cited by a Georgia State Patrol Officer.
6. Plaintiff suffered injuries because of Defendants Negligence.
7. At all relevant times Plaintiff exercised due care for her own safety.

3. *[Statement of damages, with items of special damages stated specifically.]*

Pain and Suffering

\$99,000.00

Past present and future medical expenses

\$20,000.00

Lost earnings

\$15,000.00

Loss of capacity for the enjoyment of life

\$25,000.00

Mental anguish

\$20,000.00

WHEREFORE, plaintiff demands judgment against defendant for the sum of \$ 179,000, together with interest and the costs of this action.

By affixing this electronic verification, oath, or affidavit to the pleading(s) submitted to the court and attaching my electronic signature hereon, I do hereby swear or affirm that the statements set forth in the above pleading(s) are true and correct.

/s/ Tameka M. Cook

Date: 3/20/2023

State Bar No.

Address 5863 Summer Glen Lane College Park GA 300

Telephone Number 678-644-1147

mayer_tameka@yahoo.com

IN THE SUPERIOR COURT OF Fulton COUNTY
STATE OF GEORGIA

Tameka Cook

Plaintiff

vs

Civil Action File No: _____

James Rickey Henry , Jarrod Ware , Ware Empire
Transportation LLC
Defendant

VERIFICATION

I, (your name) Tameka Cook, personally appeared before the undersigned
Notary Public, and say under oath that I am the (check one:) ☒ Plaintiff ☐ Defendant in the above-
styled action and that the facts stated in the (name of petition, motion, complaint) _____

Complaint for Damages

are true and correct.

This the 24 day of March, 2023.
[day] [month] [year]

Tameka Cook

(Sign your name here in front of the Notary)

Name (print or type here): Tameka Cook

Address: 5863 Summerglen Lane

College Park GA 30349

Telephone number: 678-644-1147

Sworn to and subscribed before me, this
24th day of MAR, 20 23.

Marvin Wooley

NOTARY PUBLIC

My Commission Expires: 1/21/2027
(Notary Seal)



EXHIBIT “B”

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendants.

CIVIL ACTION FILE
NUMBER 2023CV377889

**THIS DEFENDANTS DEMANDS
A JURY TRIAL.**

DEFENDANT JAMES RICKEY HENRY'S ANSWER

Defendant James Rickey Henry answers the Complaint for Damages and show the Court as follows.

FIRST DEFENSE

Plaintiff failed to properly or sufficiently serve this Defendant with the Summons and Complaint.

SECOND DEFENSE

This Court lacks personal jurisdiction over this Defendant.

THIRD DEFENSE

1.

1. This Defendant admits Plaintiff is a citizen and resident of Georgia, Defendant Henry was a citizen and resident of Texas, his domicile was there March 24, 2023 when Plaintiff filed the Complaint, and the Court has subject matter jurisdiction, but denies the remaining allegations.

2. [Short and plain statement in separately numbered paragraphs of claim sued upon]

1. This Defendant admits Plaintiff and Defendant Henry were involved in a motor vehicle collision in Atlanta, Georgia May 31, 2022, but denies the remaining allegations.

2. This Defendant admits the allegations in paragraph 2.

3. This Defendant admits he caused very light contact between the lugs of his passenger front steer wheel and the driver's side of Plaintiff's 2011 Cadillac CTS and Plaintiff refused treatment at the accident scene,



but reserves the issues of proximate cause and damages, and denies the remaining allegations.

4. This Defendant admits he was driving to Plaintiff's left before and during the collision, but denies the remaining allegations.

5. This Defendant denies the allegations in paragraph 5.

6. This Defendant admits he caused the very light contact between the lugs of his passenger front steer wheel and the driver's side of Plaintiff's 2011 Cadillac CTS and Plaintiff refused treatment at the accident scene, but reserve the issues of proximate cause and damages, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

7. This Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 7.

3. [Statement of damages, with items of special damages stated specifically]

This Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 3 about damages.

2.

This Defendant denies all allegations in the Complaint for Damages he did not specifically admit.

WHEREFORE, having fully answered all allegations in the Complaint for Damages, this Defendant respectfully requests judgment in accordance with the Law.

THIS DEFENDANT DEMANDS A JURY TRIAL.

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ Grant B. Smith

GRANT B. SMITH, ESQ.

Georgia bar number 658345

For the Firm

Attorneys for Defendants

900 Circle 75 Parkway, Suite 1400

Atlanta, Georgia 30339

(404) 364-4503

Gbs@dcplaw.com

KMoore@dcplaw.com

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendants.

CIVIL ACTION
FILE NUMBER 2023CV377889

STATE OF TEXAS

COUNTY OF HARRIS

AFFIDAVIT OF JAMES RICKEY HENRY

Personally appeared before me, the undersigned officer duly authorized by law to administer oaths, James Rickey Henry, who after first being duly sworn, deposes and says:

1.

I am at least eighteen years old, I am not suffering from any legal disability, and I have personal knowledge sufficient to make this Affidavit.

2.

I was a citizen and resident of Texas and my domicile was there March 24, 2023 when Plaintiff filed the Complaint in this civil action.

3.

I hereby verify that the facts stated in Defendants' Answer attached hereto as Exhibit "A" are true and correct to the best of my knowledge and belief.

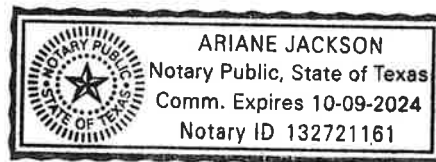
Further, affiant saith not.


JAMES RICKY HENRY

Sworn to and subscribed before me this
16 day of May, 2023.


Notary Public

My commission expires: 10-09-24



CERTIFICATE OF SERVICE

I electronically filed **DEFENDANT JAMES RICKEY HENRY'S ANSWER** with the Clerk of Court using the Odyssey eFileGA system and served same by depositing it in the United States mail in a properly-addressed envelope with adequate postage thereon, on the following:

Tameka M. Cook, Pro Se
5863 Summerglenn Lane
College Park, Georgia 30349
mayertameka@yahoo.com

This 5th day of June, 2023.

/s/ *Grant B. Smith*
GRANT B. SMITH, ESQ.
For the Firm

54-14684(GBS)

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendants.

CIVIL ACTION FILE
NUMBER 2023CV377889

**THESE DEFENDANTS DEMAND
A JURY TRIAL.**

**DEFENDANTS JARROD WARE AND WARE EMPIRE
TRANSPORTATION, LLC'S ANSWER BY SPECIAL APPEARANCE**

Defendants Jarrod Ware, and Ware Empire Transportation, LLC answer the Complaint for Damages by special appearance and show the Court as follows.

FIRST DEFENSE

Plaintiff failed to properly or sufficiently serve these Defendants with the Summons and Complaint.

SECOND DEFENSE

This Court lacks personal jurisdiction over these Defendants.

THIRD DEFENSE

The Complaint for Damages fails to state a claim upon which relief can be granted against these Defendants.

FOURTH DEFENSE

1.

1. These Defendant admit Plaintiff is a citizen and resident of Georgia, Defendant Henry was a citizen and resident of Texas, his domicile was there March 24, 2023 when Plaintiff filed the Complaint, and the Court has subject matter jurisdiction, but deny the remaining allegations.

2. [Short and plain statement in separately numbered paragraphs of claim sued upon]

1. These Defendants admit Plaintiff and Defendant Henry were involved in a motor vehicle collision in Atlanta, Georgia May 31, 2022, but deny the remaining allegations.

2. These Defendants admit the allegations in paragraph 2.

3. These Defendants admit Defendant Henry caused very light contact between the lugs of his passenger front steer wheel and the driver's side of Plaintiff's 2011 Cadillac CTS and Plaintiff refused treatment at the accident scene,





but reserve the issues of proximate cause and damages, and deny the remaining allegations.

4. These Defendants admit Defendant Henry was driving to Plaintiff's left before and during the collision, but deny the remaining allegations.

5. These Defendants deny the allegations in paragraph 5.

6. These Defendants admit Defendant Henry caused the very light contact between the lugs of his passenger front steer wheel and the driver's side of Plaintiff's 2011 Cadillac CTS and Plaintiff refused treatment at the accident scene, but reserve the issues of proximate cause and damages, and are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

7. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 7.

3. [Statement of damages, with items of special damages stated specifically]

These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 3 about damages.

2.

These Defendants deny all allegations in the Complaint for Damages he did not specifically admit.

WHEREFORE, having fully answered all allegations in the Complaint for Damages, these Defendants respectfully request judgment in accordance with the Law.

THESE DEFENDANTS DEMAND A JURY TRIAL.

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ *Grant B. Smith*

GRANT B. SMITH, ESQ.

Georgia bar number 658345

For the Firm

Attorneys for Defendants

900 Circle 75 Parkway, Suite 1400

Atlanta, Georgia 30339

(404) 364-4503

Gbs@dcplaw.com

KMoore@dcplaw.com

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendant.

CIVIL ACTION

FILE NUMBER 2023CV377889

STATE OF TEXAS

COUNTY OF HARRIS

AFFIDAVIT OF JARROD WARE

Personally appeared before me, Jarod Ware, the undersigned officer duly authorized by law to administer oaths, , who after first being duly sworn, deposes and says:

1.

I am at least eighteen years old, I am not suffering from any legal disability, and I have personal knowledge sufficient to make this affidavit.


2.

I was a citizen and resident of Texas and my domicile was there March 24, 2023 when Plaintiff filed the Complaint in this civil action.

3.

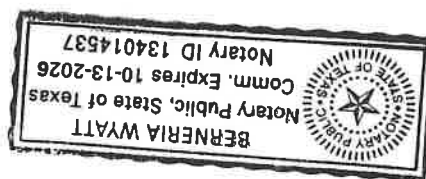
I am the sole owner and member of Ware Empire Transportation, LLC which was a Florida limited liability company with its principal place of business in Texas when Plaintiff filed the Complaint in this civil action.

Further, affiant saith not.


JARROD WARE

Sworn to and subscribed before me this
5th day of May, 2023.


Notary Public



CERTIFICATE OF SERVICE

I electronically filed **DEFENDANTS JARROD WARE AND WARE EMPIRE TRANSPORTATION, LLC'S ANSWER BY SPECIAL APPEARANCE** with the Clerk of Court using the Odyssey eFileGA system and served same by depositing it in the United States mail in a properly-addressed envelope with adequate postage thereon, on the following:

Tameka M. Cook, Pro Se
5863 Summerglenn Lane
College Park, Georgia 30349
mayertameka@yahoo.com

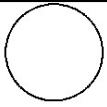
This 5th day of June, 2023.

/s/ Grant B. Smith
GRANT B. SMITH, ESQ.
For the Firm

54-14684(GBS)

EXHIBIT “C”

Agency Case Number C000835254-01		Agency NCIC Number GAGSP0000		GEORGIA MOTOR VEHICLE CRASH REPORT				County FULTON		Date Rec. by GDOT	
Estimated Crash Date: 05/31/22 Time: 08:25		Dispatch Date: 05/31/22 Time: 08:25		Arrival Date: 05/31/22 Time: 08:25		Total Number of Vehicles: 2 Injuries: 1 Fatalities: 0		Inside City Of ATLANTA			
Road of Occurrence I-75/85 NORTH						At Its Intersection With UNIVERSITY AVENUE				<input type="checkbox"/> Corrected Report <input type="checkbox"/> Sup To Original <input type="checkbox"/> Hit And Run?	
Not At Its Intersection But _____						Of _____					
Latitude (Y) 33.717323 (Format) 00.00000						Longitude (X) -84.397865666667 (Format) -00.00000					
Unit # 1	<input checked="" type="checkbox"/> Driver <input type="checkbox"/> Ped <input type="checkbox"/> Bike	LAST NAME HENRY		FIRST JAMES	MIDDLE RICKEY	Unit # 2	<input checked="" type="checkbox"/> Driver <input type="checkbox"/> Ped <input type="checkbox"/> Bike	LAST NAME COOK		FIRST TAMEKA	MIDDLE MONIQUE
<input checked="" type="checkbox"/> Susp At Fault						<input type="checkbox"/> Susp At Fault					
Address 2114 TEGNER DRIVE						Address 1910 CENTER AVE APT 10					
City JACKSONVILLE		State FL		Zip 32210		DOB 04/13/1969		City EAST POINT		State GA	
Driver's License No. H560456691330		Class A		State FL		Country UNITED STATES		Driver's License No. 062184187		State GA	
Insurance Co. ACORD		Policy No. 05TRM039831-01		Telephone No.		Insurance Co. PROGRESSIVE		Policy No. 924714770		Telephone No.	
Year 2013		Make INTERNATIONAL		Model PRO STAR +		Year 2011		Make CADILLAC		Model CTS LUXURY COL	
VIN 3HSDJSJR7DN387884		Vehicle Color RED				VIN 1G6DE5EY2B0114392		Vehicle Color GRA			
Tag # JC08QG		State FL		County		Year		Tag # RRP7952		State GA	
Trailer Tag # T966483		State FL		County		Year		Trailer Tag #		State GA	
<input type="checkbox"/> Same as Driver						<input checked="" type="checkbox"/> Same as Driver					
Owner's Last Name First Middle JARROD WARE DBA W						Owner's Last Name First Middle COOK TAMEKA MONIQUE					
Address 6926 MONICA CT						Address 1910 CENTER AVE APT 10					
City JACKSONVILLE						City EAST POINT					
State FL						State GA					
Zip 32222						Zip 30344-4633					
Removed By: DRIVER						Removed By: DRIVER					
<input type="checkbox"/> Request List						<input type="checkbox"/> Request List					
Alco Test: 2		Type:		Results:		Alco Test: 2		Type:		Results:	
Drug Test: 2		Type:		Results:		Drug Test: 2		Type:		Results:	
First Harmful Event: 11		Most Harmful Event: 11		Operator/Ped Cond: 1		First Harmful Event: 11		Most Harmful Event: 11		Operator/Ped Cond: 1	
Operator Contributing Factors: 11						Operator Contributing Factors: 1					
Vehicle Contributing Factors: 1						Vehicle Contributing Factors: 1					
Roadway Contributing Factors: 1						Roadway Contributing Factors: 1					
Direction of Travel: 1		Vehicle Maneuver: 6		Non-Motor Maneuver:		Direction of Travel: 1		Vehicle Maneuver: 5		Non-Motor Maneuver:	
Vehicle Class: 1		Vehicle Type: 4		Vision Obscured: 7		Vehicle Class: 1		Vehicle Type: 1		Vision Obscured: 1	
Number of Occupants: 1		Area of Initial Contact: 1		Damage to Veh: 2		Number of Occupants: 1		Area of Initial Contact: 9		Damage to Veh: 2	
Traffic-Way Flow: 3		Road Comp: 2		Road Character: 2		Traffic-Way Flow: 3		Road Comp: 2		Road Character: 2	
Number of Lanes: 7		Posted Speed: 55		Work Zone: 0		Number of Lanes: 7		Posted Speed: 55		Work Zone: 0	
Traffic Control: 7						Traffic Control: 7					
Device Inoperative: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						Device Inoperative: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Citation Information:						Citation Information:					
Citation # W94E56889 O.C.G.A. §						Citation # O.C.G.A. §					
Citation # O.C.G.A. §						Citation # O.C.G.A. §					
Citation # O.C.G.A. §						Citation # O.C.G.A. §					
COMMERCIAL MOTOR VEHICLES ONLY						COMMERCIAL MOTOR VEHICLES ONLY					
Carrier Name: WARE EMPIRE TRANSPORTATION LLC						Carrier Name:					
Address 6926 MONICA CT						Address					
City JACKSONVILLE						City					
State FL						State					
Zip 32222						Zip					
U.S. D.O.T. # 3428558		No. of Axles 5		G.V.W.R. 03		U.S. D.O.T. #		No. of Axles		G.V.W.R.	
Cargo Body Type 11		Vehicle Config. 6		<input checked="" type="checkbox"/> Interstate <input type="checkbox"/> Intrastate		Cargo Body Type		Vehicle Config.		<input type="checkbox"/> Interstate <input type="checkbox"/> Intrastate	
Fed. Reportable <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		C.D.L.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		C.D.L. Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No		Fed. Reportable <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		C.D.L.? <input type="checkbox"/> Yes <input type="checkbox"/> No		C.D.L. Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Vehicle Placarded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Hazardous Materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Vehicle Placarded? <input type="checkbox"/> Yes <input type="checkbox"/> No		Hazardous Materials? <input type="checkbox"/> Yes <input type="checkbox"/> No		Vehicle Placarded? <input type="checkbox"/> Yes <input type="checkbox"/> No		Hazardous Materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Haz Mat Released? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						Haz Mat Released? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If YES: Name or four Digit Number from Diamond or Box: _____ One Digit Number from Bottom of Diamond: _____						If YES: Name or four Digit Number from Diamond or Box: _____ One Digit Number from Bottom of Diamond: _____					
<input type="checkbox"/> Ran Off Road <input type="checkbox"/> Down Hill Runaway <input type="checkbox"/> Cargo Loss or Shift <input type="checkbox"/> Separation of Units						<input type="checkbox"/> Ran Off Road <input type="checkbox"/> Down Hill Runaway <input type="checkbox"/> Cargo Loss or Shift <input type="checkbox"/> Separation of Units					

COLLISION FIELDS													
Manner of Collision:	4	Location at Area of Impact:	1	Weather:	2	Surface Condition:	1	Light Condition:	1				
NARRATIVE													
<p>Vehicles #1 and #2 were northbound on I-75/85 in lanes #5 and #6 respectively. Vehicle #1 executed an improper lane change; striking the left side of vehicle #2 with its right front tire. Vehicle #1 also damaged vehicle #2's driver's outside mirror.</p> <p>Investigating Trooper observed both vehicles in the roadway. On-scene crash investigation was digitally recorded by GSP 644, perm 7630.</p> <p>Alternate Insurance information for V1: INSURANCE INFORMATION INSURER: CONTINENTAL DIVIDE INSURANCE COMPANY POLICY # 05TRM039831 7900 UNION AVENUE, SUITE 750 DENVER CO 80237-0000</p>													
DIAGRAM													
										INDICATE NORTH 			
PROPERTY DAMAGE INFORMATION													
Damage Other Than Vehicle										Owner			
WITNESS INFORMATION													
Name (Last, First)			Address			City			State		Zip Code	Telephone Number	
OCCUPANT INFORMATION													
1	Name (Last, First): HENRY, JAMES					Address: 2114 TEGNER DRIVE JACKSONVILLE, FL 32210							
	Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:			
	53	M	1	1	8	1	2	0	0	2			
Injury Taken To:			By:		EMS Notified Time:		EMS Arrival Time:		Hospital Arrival Time:				
2	Name (Last, First): COOK, TAMEKA					Address: 1910 CENTER AVE APT 10 EAST POINT, GA 30344-4633							
	Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:			
	48	F	2	1	3	1	2	2	4	2			
Injury Taken To:			By:		EMS Notified Time:		EMS Arrival Time:		Hospital Arrival Time:				
ADMINISTRATIVE													
Photos Taken:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		By: SGT NASH #644		Officer Note: If collision resulted in a fatality, please send prompt notification to the GDOT Crash Reporting Unit via either email at GeorgiaFARS@dot.ga.gov or Fax at (404)635-2963.							
Report By:		Agency:		Report Date:		Checked By:		Date Checked:					
NASH #0644		GSPC/POST 47		05/31/22		OSBY, S. L. #0366		06/02/22					

ADDITIONAL or FULL PAGE DIAGRAM

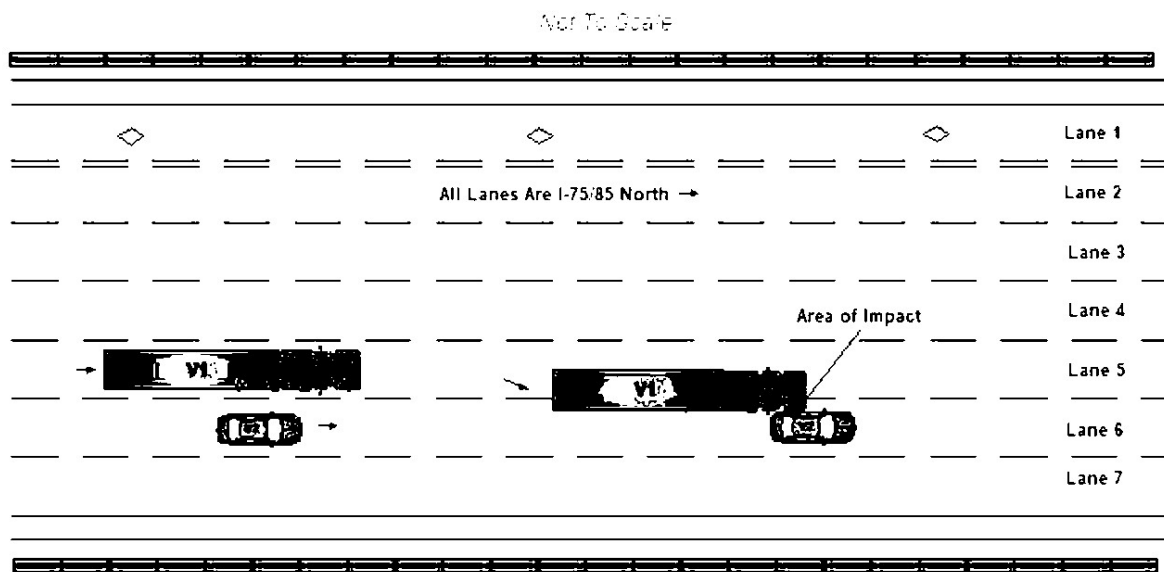


EXHIBIT “D”

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendants.

CIVIL ACTION
FILE NUMBER 2023CV377889

STATE OF TEXAS

COUNTY OF HARRIS

AFFIDAVIT OF JAMES RICKEY HENRY

Personally appeared before me, the undersigned officer duly authorized by law to administer oaths, James Rickey Henry, who after first being duly sworn, deposes and says:

1.

I am at least eighteen years old, I am not suffering from any legal disability, and I have personal knowledge sufficient to make this Affidavit.


2.

I was a citizen and resident of Texas and my domicile was there March 24, 2023 when Plaintiff filed the Complaint in this civil action.

3.

I hereby verify that the facts stated in Defendants' Answer attached hereto as Exhibit "A" are true and correct to the best of my knowledge and belief.

Further, affiant saith not.


JAMES RICKY HENRY

Sworn to and subscribed before me this
16 day of May, 2023.


Notary Public

My commission expires: 10-09-24

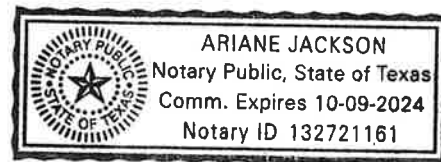


EXHIBIT “E”

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

TAMEKA M. COOK,

Plaintiff,

v.

JAMES RICKEY HENRY, JARROD WARE,
WARE EMPIRE TRANSPORTATION, LLC,

Defendant.

CIVIL ACTION

FILE NUMBER 2023CV377889

STATE OF TEXAS

COUNTY OF HARRIS

AFFIDAVIT OF JARROD WARE

Personally appeared before me, Jarod Ware, the undersigned officer duly authorized by law to administer oaths, , who after first being duly sworn, deposes and says:

1.

I am at least eighteen years old, I am not suffering from any legal disability, and I have personal knowledge sufficient to make this affidavit.


2.

I was a citizen and resident of Texas and my domicile was there March 24, 2023 when Plaintiff filed the Complaint in this civil action.

3.

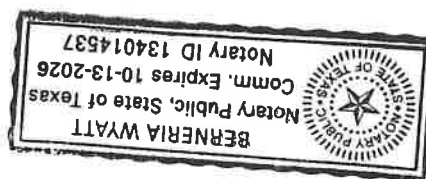
I am the sole owner and member of Ware Empire Transportation, LLC which was a Florida limited liability company with its principal place of business in Texas when Plaintiff filed the Complaint in this civil action.

Further, affiant saith not.


JARROD WARE

Sworn to and subscribed before me this
5th day of May, 2023.


Notary Public



CERTIFICATE OF SERVICE

I electronically filed **DEFENDANTS JAMES RICKEY HENRY, JARROD WARE, AND WARE EMPIRE TRANSPORTATION, LLC'S NOTICE OF REMOVAL** with the Clerk of Court using the CM/ECF system and served same by depositing it in the United States mail in a properly-addressed envelope with adequate postage thereon, on the following:

Tameka M. Cook, Pro Se
5863 Summer Glen Lane
College Park, Georgia 30349
mayertameka@yahoo.com

This 5th day of June, 2023.

/s/ Grant B. Smith
GRANT B. SMITH, ESQ.
For the Firm

54-14684 (GBS)